

FILED

UNITED STATES COURT OF APPEALS

SEP 12 2008

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LEON ALPERT, an individual, on behalf
of himself, on behalf of those similarly
situated, and on behalf of the general
public,

Plaintiff - Respondent,

v.

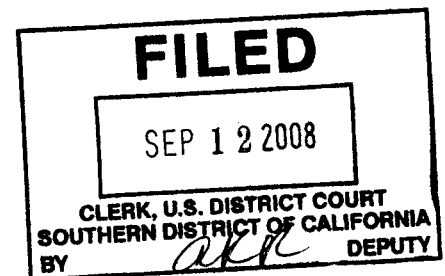
TIME WARNER CABLE, INC., a
Delaware corporation,

Defendant - Petitioner.

No. 08-80106

D.C. No. 3:08-cv-00582-W/WMC
Southern District of California,
San Diego

ORDER



Before: O'SCANNLAIN and N.R. SMITH, Circuit Judges.

The petition for permission to appeal pursuant to 28 U.S.C. § 1453(c) is
denied.